

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Benjamin George,

Plaintiff,

v.

City of Chicago, et al,

Defendants.

Case No.: 20 CV 6911

Hon. Judge: Robert Blakey

Mag. Judge: Beth W. Jantz

JOINT STATUS REPORT

The parties, by and through their undersigned counsel, submit the following Joint Status Report on status of discovery in accordance with the Court's Order on March 1, 2023 (Dkt. 104) and state as follows:

1. On March 1, 2023, the Court Ordered Defendants Gardiner and Sikanich to provide responses on written discovery requests by March 17, 2023 and the parties to provide a status report by Friday, March 24, 2023 proposing new case management deadlines and updating on the status of matters discussed at the Motion to Compel hearing. Dkt. 104; March 1, 2023 Hearing Transcript, attached as Exhibit 1 at p:13-18.
2. Defendants Gardiner and Sikanich did not provide responses to written discovery requests by March 17, 2023, and the Court continued the deadline for compliance until March 29, 2023. Dkt. 111.
3. In the interim, the parties have discussed scheduling outstanding depositions among themselves.
4. The rescheduled deposition of Defendant Ing will take place on April 12 at 10:00am.

5. Defendant Gardiner provided deposition availabilities on March 22, 2023, but Defendant Sikanich has not provided availabilities. Unfortunately, Defendant Gardiner's availabilities did not include a date on which all necessary counsel were available, and Defendant Gardiner's counsel indicated he would seek additional availability. Plaintiff intends to take Defendant Gardiner's deposition between April 14 and May 14 once dates are newly provided.
6. Defendant City previously indicated that it planned to take depositions of two health professionals from North Shore University Health System who provided care to Plaintiff when he was hospitalized following his arrest, but these individuals have not provided availabilities yet through counsel.
7. Plaintiff intends to take the deposition of Plaintiff's therapist, Todd Warren, and no party objects, but this deposition has not yet been scheduled.
8. Finally, the parties have agreed that if the supplemental production from Defendants Gardiner and Sikanich reveals additional occurrence witnesses—further employees, for example—with personal knowledge of the events at issue in this suit, Plaintiff may also take their depositions.
9. Given the depositions remaining outstanding, the uncertainty regarding Defendants Gardiner and Sikanich's supplemental production, and the as-yet unprovided availability for deposition as it pertains to Defendant Sikanich, the parties respectfully request that fact discovery cutoff case management deadlines previously set in the Court's November 30, 2022 Order be extended 60 days, and the timeline for settlement correspondence be amended as well.

10. The parties' proposed new deadlines would be: 1) fact discovery close on May 19, 2023;
- 2) updated status report to be filed June 1, 2023 confirming that fact discovery is closed and indicating whether any party will require expert discovery or seek summary judgment;
- 3) Plaintiff to make a formal, written settlement demand by May 26, 2023 and Defendants to respond in writing by June 16, 2023. The parties will confirm that a written demand and responses have been exchanged via an additional status report on June 21, 2023.

Respectfully submitted,

/s/ Daniel Massoglia
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I, Daniel Massoglia, an attorney, hereby certify that a copy of this document was filed before 11:59pm on March 24, 2023 using the Court's CM/ECF filing system, which generates electronic notice to all parties of record in the case.

Respectfully submitted,

Daniel Massoglia
One of Plaintiff's Attorneys